

07-02-01

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Attorney Docket P0894P1D2C4

PATENT

CERTIFICATION UNDER 37 CFR 1.10

EM 168 886 555 US: Express Mail Number

June 29, 2001: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION
 Assistant Commissioner of Patents
 Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Joffre Baker
 Kenneth Chien
 Kathleen King
 Diane Pennica
 William Wood

Title: **CARDIAC HYPERTROPHY FACTOR AND USES THEREFOR****1. Type of Application**

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority to application Serial Number 09/033,114, filed March 2, 1998, the entire disclosure of which is hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

121 pages of specification (including 11 pages of Sequence Listing)
4 pages of claims
1 page(s) of abstract
8 sheet(s) of drawings
☒ formal ☐ informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)

06/29/01
 J1064 U.S. PTO

1068 U.S. PTO
 09/096856
 06/29/01

09096856 "062901"

— An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)

 x A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)

— A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)

— An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [] will follow.

(for cont./div.)

 x The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

_____ Cancel in this application original claims ____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

x A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119

_____ Amend the specification by inserting before the first line the sentence:

--This is a

 non-provisional application

continuation

divisional

 continuation-in-part

of co-pending application(s)

____ International Application _ filed on __ which designated the U.S., which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §102.--

_____ provisional application No. _ filed __, the entire disclosure of which is hereby incorporated by reference and to which application(s) priority is claimed under 35 USC §119.-.

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	12	- 20 =	0	X \$18.00	\$0.00
Independent Claims	1	- 3 =	0	X \$80.00	\$0.00
— Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$710.00

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$710.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

9. Additional Papers Enclosed

- [x] Submission of "Sequence Listing" and Letter and Request to Use Computer-Readable Sequence Listing
 [x] Copy of Power of Attorney by Assignee as filed in USSN 09/033,114
 [x] Copy of Change of Correspondence Address as filed in USSN 09/033,114

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- _____ A petition, fee and/or response has been filed to extend the term in the pending prior application until
 _____ x _____ A copy of a petition for extension of time in the **prior** application is attached.

T06290" 9589650

X Address all future communications to:

Attn: Deirdre L. Conley, Ph.D.

Respectfully submitted,
GENENTECH, INC.

Date: June 29, 2001

By: Deirdre L. Conley, Ph.D.
Reg. No. 36,487
Telephone No. (650) 225-2066



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PATENT TRADEMARK OFFICE

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